

EXHIBIT 2

Lawrence Police Department

90 Lowell Street
Lawrence, MA 01840
(978) 794-5900

Incident Report

Log # 04008268

Date of Incident	WED 07/14/2004	Time of Incident	00:30 HRS	Type of Incident	ASSAULT & BATTERY - DANGEROUS WEAPON	Domestic Dispute	NO	
Date Report Submitted	WED 07/14/2004	Time of Report	01:30 HRS	Location of Incident	AMESBURY N CANAL	Floor or Apartment #		
Status Code: C - Complainant I - Interviewed J - Juvenile M - Missing S - Suspect V - Victim W - Witness O - Other Race Code: W - White H - Hispanic B - Black								
Status	Last Name	First Name	M.I.	Sex	Race	D.O.B.	Telephone	Address
V	GONZALEZ	EDISON		M	H	01/31/1979	1 7819136382	304 MERRIMAC ST. 1ST MANCHESTER NH
V	GONZALEZ	HENRY		M	H	12/25/1977	212 7812481	512 180TH ST 4C MANHATTAN NY
V	GONZALEZ	EDWARD		M	H	02/03/1976	9783971251	141 NEWBURY ST 3RD FLOOR LAWRENCE MASS
# 1	RIVERA	JOSE		M	H	03/25/1964		25 CRESCENT ST LAWRENCE MASS
Charges	2 CTS ASS. W/TO MURDER		POSS FIREARM W/O PERMIT		POSS AMMUNITION W/O FID		DISCHARGING FIREARM CITY	
# 2								
Charges	POSS STOLEN HANDGUN		FELON IN POSS FIREARM					
# 3								
Charges								
Property Code: A - Abandoned E - Evidence F - Found L - Lost R - Recovered S - Stolen T - Towed V - Vehicle O - Other D - Damaged W - Suspect M/								
Status	Qty	Year	Item/Brand/Model	State	Registration	Color	Characteristics - Serial or VIN	Est. Value
1			45 HANDGUN SERIAL # QM3441 CALIBER				MAKE /POD LTC/FID# 00D935904	
2			45 CASINGS					
1			1 MAGAZINE WITH THREE ROUNDS					
T		2001	BMW 530IA SEDAN	MA	3703ZE	BLUE	WBADT63441CF09521	

Detectives and Officers: Sgt Carroll, Det Burokas, Det Dube, Det Cueva, Det Andrews
 Officers: Nigosian, Caraballo, Cote, Padalero/Navaria/Ayala
 C-POP: Lefebvre, Montecarlo

On the above date dispatch sent police units and detectives to the LAW Grill located at Amesbury and Canal for someone shooting at people. The dispatch further related that the victim was at the station and that the shooter was in a blue BMW.
 At this point myself(Sgt Carroll) and Det Burokas were in the station and spoke to the victim Mr. Edison Gonzalez to ascertain information that could be given out to all units. Mr. Edison Gonzalez had come to the station with his brother Henry Gonzalez the second victim in the assault. Mr. Edison Gonzalez was still very nervous and told us that he knew the shooter but not by name and knew where

Investigating Officer's Signature: Sgt. Charles M. Carroll
 Reviewed By:

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he lived and his girlfriend. Mr Edison Gonzalez further related that the person had a beef with his brother awhile ago and that it was over a female. Mr. Gonzalez related that the shooter lived near the white hen. This information was given out to all units that the car could be possibly be in the area of the white hen.

At this point myself(Sgt. Carroll) and Det Burokas brought the victim Mr. Edison Gonzalez with us in the unmarked unit to show us the house where the shooter lived. During this time dispatch had given out the plate number of the blue BMW as 3703ZE. Mr. Gonzalez brought us to the area of Haverhill Street near Congress but the blue BMW was not there. We then asked Mr Gonzalez to bring us to the girlfriends house and we were on our way to the area of the Hancock projects when Officer Nigosian got on the radio stating he spotted the blue BMW at Andover and Parker Streets and was behind the suspects Motor Vehicle.

Officer Nigosian called for backup to stop the blue BMW and continued to follow the suspects Motor Vehicle through several streets in South Lawrence and when backup arrived pulled over the suspects car on Farnham Street near Phillips Street. Officer Nigosian and Cote removed the driver Mr. Jose Rivera who was alone in the Motor Vehicle. At this time for Officers safety Mr. Rivera was placed in cuffs.

I Sgt. Carroll had CPOP Lefebvre place Mr. Rivera on the sidewalk for a show up as we had the victim Mr. Edison Gonzalez in the car and had already stated he knew the shooter but not by name and knew where he lived and where the shooters girlfriend lived. I Sgt Carroll walked back to the car and Mr Edison Gonzalez was pointing thats him , thats him, thats the person that shot at us.

During this time Officer Caraballo made a protective sweep of the Motor Vehicle for Officers safety as a firearm was used in the last 20 minutes in the incident at Amesbury and Canal. Officer Caraballo found under the passengers front seat a 45 caliber handgun loaded. Officer Caraballo let us know that a handgun was under the passengers front seat. The protective sweep was done prior to Mr Rivera being identified by the victim.

Based on the identity of the victim Mr. Edison Gonzalez the suspect Mr. Jose Rivera was arrested and subsequently charged with all the above charges.

Det Burokas removed the handgun wearing gloves from the BMW and unloaded the weapon and placed the 45 handgun and magazine in a paper bag.

The suspect Mr Jose Rivera was driving a 2001 BMW color blue with Mass. tags 3703ZE owned by himself with a address of 25 Crescent Street Lawrence Mass. The BMW was towed by M & W towing and a hold placed on the Motor Vehicle. On the way back to the station I(Sgt. Carroll) along with Det Burokas and the victim Mr. Edison Gonzalez stopped at the LA Grill and exited the unmarked unit. I(Sgt. Carroll) had Mr. Edison Gonzalez show me exactly what happened. Mr Edison Gonzalez showed me the parking lot directly behind the LA Grill on Amesbury Street where he was parked. Edison stated he sent his brother Henry outside to get the car because of the problem between Edward his brother and the shooter. Henry pulled the car in front of the LA Grill and I Edison came outside and got in the drivers seat and drove down to the parking lot approx 100' down the street. I(Edison) pulled into the parking lot and then saw the

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shooter reach into his car and pull out a gun. I (Edison) got nervous and wanted to get out of their and hit the gas striking his car and then saw the shooter fire several shots at us. I drove to the lights at the LA Grill because I thought the shooter got in the car and was chasing us. I spun around at the LA Grill and drove by the blue BMW and drove right to the Police station.

Mr. Jose Rivera was transported back to the station by Officer Nigolian and subsequently booked by Det Dube and Officer Castonguay

At the station the 45 handgun had a serial # of QM 3441 and the serial number was run in leaps and came back to Anthony Cegelis and not reported stolen. Through leaps operator Nick Alienello a address of 171 Pleasant Street N Andover was found for Mr. Cegelis. N Andover Police were called and asked if they could go to 171 Pleasant Street to find out about the handgun. Approximately 10 minutes later Det Burokas had conversation with N Andover dispatch who informed him that Mr Anthony Cegelis was deceased and that his wife reported the handgun stolen sometime in April and they would fax us a report when records open.

The handgun and magazine with bullets will be entered in evidence along with two casings recovered by Detective Andrews in the parking lot near LA Grill. Det Waller will be contacted to fingerprint the handgun, magazine, bullets and casings.

At this time Det Burokas spoke to the second victim Mr. Henry Gonzalez who related that he was at LA Grill with his brothers Edison and Edward. Edison asked him to get his car which was parked in the lot behind the LA Grill on Amesbury Street because we wanted to leave to avoid a problem. I(Henry Edison) pulled the car in front of the LA Grill and Edison got in the drivers seat and I(Henry) got in the back seat. Edison drove down to the parking lot to turn around and the person causing the problem pulled out a gun from a car and started firing at us. Edison took off quickly and that's all I remember.

I (Sgt. Carroll) sent Detective Burokas to the booking room to ascertain from Mr Rivera if he had a permit for the firearm. Officer Ayala in the presence of Det Dube and Burokas read Mr Rivera his miranda rights in Spanish and Mr Rivera stated he understood and signed the miranda sheet and stated he did not have a license for the handgun and bought it off the street for \$300.00 A copy of miranda warning attached.

The victim Edison Gonzalez was driving a 1992 Toy Camry with Mass tags 48TG33 owned by Yesenia Gonzalez 436 Harvard Street Dorchester Mass.

Also attached to this report is supplemental report by Det Andrews which contains statement by Edward Gonzalez and where he found the two casings.

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